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RUEHKO/AMEMBASSY TOKYO 0952  
RUEHBJ/AMEMBASSY BEIJING 4406  
RUEHBY/AMEMBASSY CANBERRA 1366  
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UNCLAS SECTION 01 OF 02 JAKARTA 002875

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L/LEI FOR BUCHHOLZ  
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SUBJECT: YOGYAKARTA - PROMOTING ACCOUNTABILITY IN GOVERNMENT

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¶1. (SBU) SUMMARY: The Yogyakarta provincial leadership has instituted several initiatives to promote greater accountability and more responsive local government. The Governor established public and private ombudsman offices and a regional oversight body to promote better governance. Despite some success, the mediocre record of the District Attorney's Special Crimes Unit and Yogyakarta's earthquake assistance (some estimate up to 50% was lost to corruption) is indicative of the larger structural limitations that make better governance and anti-corruption reform elusive. However, anti-corruption movements at local universities provide hope for future reform. End Summary.

First Public and Private Ombudsman in Indonesia  
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¶2. (U) Governor Sri Sultan Hamengkubuwono X established Indonesia's first provincial-level public and private ombudsman offices in Yogyakarta to monitor public service delivery. Both the public and private offices have thirteen members, including five commissioners. Budi Santoso, head of the Public Ombudsman, said that 80% of the 200 plus complaints regarding public services have been resolved through mediation. Common complaints relate to identity cards, earthquake assistance, education, and law enforcement. Budi Wahyuni, head of the Private Ombudsman, said that cases for the Private Ombudsman focus on government policies related to doing business, such as consumer rights, ethics, and business practices.

¶3. (U) The Yogyakarta provincial government has also established a 100-member Regional Oversight Body (Bawasda) responsible for internal government oversight and auditing. The Yogyakarta Bawasda investigates any government contract over Rp 50 million (\$5,556 USD; at Rp 9,000/USD) and leads other internal government audits at the

regional level. The Bawasda coordinates with the District Attorney's Office to investigate and prosecute any possible cases. While these accountability institutions are commendable in theory, it is too soon to tell what their long-term effect will be.

#### District Attorney: All Power in Jakarta

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¶4. (SBU) The Yogyakarta District Attorney's Special Crimes Unit is responsible for anti-corruption cases at the provincial level. From January to September 2007, the Special Crimes Unit has investigated fifteen cases and prosecuted five. Amirullah, head of the Special Crimes Unit, highlighted the recent arrest of the Sleman district education head on graft charges. The Special Crimes Unit has prosecuted 68 cases since 2002.

¶5. (SBU) While the statistics and anecdotal evidence of the Special Crimes Unit appear positive, the overall capacity and effectiveness of the Yogyakarta District Attorney's office to combat corruption is limited at best. The Special Crimes Unit has three officials and 17 administrative support staff. Although the Special Crimes Unit has claimed to prosecute 20 local parliament (DPRD) officials, none have been jailed yet. Similar to the regional courts, the the Attorney General's Office in Jakarta manages regional district attorney's offices closely, permitting little independence.

#### Earthquake Assistance Not Immune to Corruption

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¶6. (SBU) Yogyakarta civil society leaders estimated that up to 50% of earthquake assistance has been lost to "local wisdom," a euphemism for various forms of graft and corruption. Depending on the level of damage to their homes, earthquake victims received Rp 15 million (\$1,667 USD), Rp 4 million (\$444 USD), or Rp 1 million (\$111 USD). Public associations (Pokmas) of 15 to 30 households distributed assistance to their communities. Partnership for

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Governance Reform Regional Manager Idham Ibtu and other civil society leaders said that this structure led to corruption by the Pokmas heads as well as local administrative staff, amounting to up to 50% of the earthquake assistance.

#### Anti-Corruption's University Movement

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¶7. (SBU) We met with the leaders and staff of the Center for Anti-Corruption Studies (PUKAT), a non-governmental organization (NGO) involved in various public policy initiatives on anti-corruption (see septel). Denny Indrayana, constitutional law professor at Gadjah Mada University and head of Indonesia Court Monitoring, leads PUKAT and its staff of Gadjah Mada students and lecturers. Following an Indonesian university summit on anti-corruption in August 2005, Indrayana founded PUKAT as a model for future university involvement in reform efforts. The goal is to develop similar civil society organizations in universities across Indonesia. PUKAT has sponsored expert seminars, led public awareness campaigns, and provided analytical support to proposed draft laws related to anti-corruption.

¶8. (SBU) Reflecting the view of the Judicial Monitoring Coalition, an anti-corruption NGO coalition to which PUKAT belongs, Indrayana said that Corruption Eradication Commission (KPK) commissioner candidates with previous experience in the police or Attorney General's Office should be disqualified. The KPK's legitimacy could be compromised by the negative, corrupt perceptions of these institutions and previous professional connections of commissioner candidates. Indrayana argued that the KPK is not meant to be a representative body and does not need police or Attorney General personnel in the institution. However, even more worrying to Indrayana is the Election Commission (KPU) commissioner selection process. Regarding all of these issues, Indrayana regarded Parliament's Commission III - the Law, Security, and Human Rights Commission - as part of the problem, not the solution.

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